

REMARKS

Initially in the Office Action dated May 19, 2004, the Examiner has rejected claims 6 and 10 under 35 U.S.C. §102(b) as being anticipated by EP 000827353 A2 (Piosenka et al.). Claims 1-3, 5, 7 and 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Piosenka et al. in view of GB 2313519 (Bernd et al.). Claims 4 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Piosenka et al. in view of Bernd et al. and further in view of U.S. Patent No. 6,625,445 (Ishigami).

By the present Amendment, Applicants have amended claims 1, 6, 7 and 10 to further clarify the invention. Claims 1-10 remain pending in the present application.

35 U.S.C. §102 Rejections

Claims 6 and 10 have been rejected under 35 U.S.C. §102(b) as being anticipated by Piosenka et al. Applicants have discussed the deficiencies of Piosenka et al. in Applicants' previously-filed response and reassert all arguments submitted in this response. Applicants respectfully traverse these rejections and submit the following additional remarks.

Regarding claims 6, 10 and new claims 11, 16, 17 and 20, Applicants submit that Piosenka et al. does not disclose or suggest the limitations in the combination each of these claims of, inter alia, making a back-up of personalized information stored in a handheld portable phone that includes establishing a secure wireless application protocol (WAP) session connection between a handheld portable phone and a computer in which a data transfer application is running, or computer readable

program code means for establishing a secure WAP session connection between a handheld portable phone and a computer on which a data transfer application is running, or where the reading of the personalized information from the handheld portable phone to the computer occurs in a single session or in a single secure WAP session, and continues until all personalized information is transferred. As has been noted previously, Piosenka et al. merely relates to programming of a cellular telephone where information is sent from a computer through an interface apparatus to a cellular telephone. Piosenka et al. does not disclose or suggest establishing a secure WAP session connection between a handheld portable phone and a computer on which a data transfer application is running, as recited in the claims of the present application. Piosenka et al. does not disclose or suggest wireless application protocol (WAP) sessions or secure WAP session connections. Moreover, Piosenka et al. does not disclose or suggest where the reading of the personalized information from the handheld portable phone to the computer occurs in a single session and continues until all personalized information is transferred.

Accordingly, Applicants submit that Piosenka et al. does not disclose or suggest the limitations in the combination of each of claims 6, 10, 11, 16, 17 and 20 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

35 U.S.C. §103 Rejections

Claims 1-3, 5, 7 and 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Piosenka et al. in view of Bernd et al. Applicants have discussed the deficiencies of Bernd et al. in Applicants' previously-filed response and reassert

all arguments submitted in this response. Applicants respectfully traverse these rejections and provide the following additional remarks.

Regarding claims 1 and 7, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of these claims of, inter alia, transferring personalized information from a first handheld portable phone to a second handheld portable phone using a secure WAP session, or establishing a secure WAP session connection between a first handheld portable phone and a computer on which a data transfer application is running, or establishing a secure WAP session connection between a second handheld portable and the computer on which the data transfer application is running, or where the transferring of the personalized information from the first handheld portable phone to the second handheld portable phone occurs in a single secure WAP session and continues until all personalized information is transferred. As noted previously, Piosenka et al. does not disclose or suggest does not disclose or suggest where the reading of the personalized information from the handheld portable phone to the computer occurs in a single session and continues until all personalized information is transferred, or WAP sessions or secure WAP sessions. Further, Bernd et al. merely relates to configuring of a radio unit and does not disclose or suggest reading personalized information from a handheld portable phone to a computer in a single session and continuing until all personalized information is transferred, or a WAP session or a secure WAP session, or establishing a secure WAP session connection between a handheld portable phone, as recited in the claims of the present application. Further,

as has been noted previously, Bernd et al. does not disclose or suggest allowing a user of a computer to individually select the type of personalized information to be written, as recited in the claims of the present application.

Regarding claims 2, 3, 5, 9, and new claims 12-15, 18 and 19, Applicants submit that these claims are dependent on one of independent claims 1, 7, 11 and 17 and, therefore, are patentable at least for the same reasons noted regarding these independent claims. For example, Applicants submit that none of the cited references disclose or suggest where the user is allowed to individually select the type of personalized information to be read from the memory means prior to the initializing of the data transfer.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1-3, 5, 7 and 9 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

Claims 4 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Piosenka et al. and Bernd et al. and further in view of Ishigami. Applicants have discussed the deficiencies of Ishigami in Applicants' previously-filed response and reassert all arguments submitted in this response.

Applicants submit that claims 4 and 8 are dependent on one of independent claims 1 and 7 and, therefore, are patentable at least for the same reasons noted regarding these independent claims. Applicants submit that neither Bernd et al. nor Ishigami overcome the substantial defects noted previously regarding Piosenka et al.

For example, Applicants submit that none of the cited references disclose or suggest where the data transfer application prior to a transfer of the personalized information to the second phone evaluates the second phone capabilities to receive the personalized information, adapts when needed the personalized information so it fits with the second phone's capabilities to receive the personalized information and transfers the adapted personalized information to the second phone.

Accordingly, Applicants submit that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 4 and 8 of the present application. Applicants respectfully request that these rejections be withdrawn and that these claims be allowed.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-10 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing attorney docket no. 1030.39683X00).

Respectfully submitted,

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